

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

RYSTA LEONA SUSMAN, BOTH  
INDIVIDUALLY AND AS LEGAL  
GUARDIAN OF SHANE ALLEN  
LOVELAND; AND JACOB SUMMERS,

Plaintiff,

vs.

THE GOODYEAR TIRE AND RUBBER  
COMPANY,

Defendant.

8:18CV127

**RULE 45(c) MOTION TO QUASH  
SUBPOENA COMMANDING RYAN  
SCARLETT, CO-OWNER OF KEARNEY  
TOWING AND REPAIR CENTER, INC.,  
TO APPEAR FOR AND PRESENT  
TESTIMONY AT THE TRIAL  
OF THIS MATTER**

**COMES NOW**, Ryan Scarlett and Kearney Towing and Repair Center, Inc. (“Kearney”), pursuant to Fed. R. Civ. P. 45 and hereby asks that the Court to quash a subpoena served upon Ryan Scarlett, the co-owner of Kearney on March 10, 2020. Pursuant to Fed. R. Civ. P. 45(d) Mr. Scarlett further requests the payment of reasonable attorney’s fees associated with the filing of this Motion.

As required by NeCivR 7.1, a Brief in Support of this Motion and Index of Evidence is filed contemporaneously herewith.

Pursuant to NeCivR 7.1(e), Kearney hereby requests an emergency hearing and the opportunity to present oral arguments concerning this Motion.

RYAN SCARLETT AND KEARNEY TOWING &  
REPAIR CENTER, INC., A NEBRASKA  
CORPORATION,

By: 

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### CERTIFICATE OF SERVICE

I hereby certify that on March 11, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

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/s/ Kristina J. Kamler